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6
7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA, CR-19-0372-EMC
CR-21-0145-EMC

10 Plaintiff,

11 v.

12 ANTHONY NASHATKA,

13 Defendant.
14 _____/

MOTION FOR TRANSFER OF PRETRIAL
SUPERVISION TO THE NORTHERN
DISTRICT OF CALIFORNIA;
DECLARATION OF EAN VIZZI IN
SUPPORT OF APPLICATION

15
16 COMES NOW, Defendant ANTHONY NASHATKA, by and through his
17 attorney EAN VIZZI, and hereby moves this Court for an order
18 transferring Pretrial Services Supervision from the Eastern
19 District of Michigan to the Northern District of California.

20 The reason for this motion is that Mr. NASHATKA seeks to
21 move Oakland, California from his current residence in Michigan.
22 Mr. NASHATKA has made arrangements to move by the middle of June
23 and has an apartment lined up and intends to move in with his
24 girlfriend. Mr. NASHATKA has been under supervision by Pretrial
25 Services in Michigan since his bond conditions were set in
26 September 2019 and has had no violations since that time. Mr.
27 NASHATKA has pled guilty pursuant to a negotiated plea agreement
28 entered in May 2021 He remains on pretrial supervision terms

1 through Sentencing which is currently scheduled on September 15,
2 2022.

3 Mr. NASHATKA's Pretrial Services Officer in Michigan,
4 Tacarra Lanzon, has been consulted and she has expressed no
5 objections to his proposed move. Assistant United States
6 Attorney Cynthia Frey has also been consulted and has expressed
7 no objection to this request.

8 In support of this application, the undersigned Ean Vizzi
9 hereby declares:

10 1. I am an attorney licensed to practice law before the
11 courts of the State of California and the Northern District of
12 California, I am the attorney of record for ANTHONY NASHATKA in
13 the above entitled case, whom I represent pro bono.

14 2. Mr. NASHATKA is charged with the following offenses:
15 Count 1: violation of 18 U.S.C. §1030(b), Conspiracy to Commit
16 Computer Fraud and Abuse; Count 2: violation of 18 U.S.C.
17 §1030(a)(5)(A), (c)(4)(B)(i) and (c)(4)(A)(i)(VI), Transmission
18 of a Program, Information, Code and Command to Cause Damage to a
19 Protected Computer; Count 3: violation of 18 U.S.C. §1030(a)(4)
20 and (c)(3)(A), Unauthorized Access to a Protected Computer to
21 Obtain Value; Count 4: violation of 18 U.S.C. §1349, Conspiracy
22 to Commit Wire Fraud; and Count 5: 18 U.S.C. §1028A(a)(1),
23 Aggravated Identity Theft.

24 3. Mr. NASHATKA currently lives in Michigan. He seeks to
25 relocate to Oakland, California, which is in the Northern
26 District of California, where he intends to live with his
27 girlfriend who will be attending school nearby.
28

1 4. Mr. NASHATKA has been supervised throughout this matter
2 since his arraignment in September 2019 by Pretrial Services and
3 has not suffered any violations during that time period. Mr.
4 NASHATKA has pled guilty pursuant to a negotiated plea agreement
5 entered in May 2021. He remains on pretrial supervision terms
6 through Sentencing which is currently scheduled on September 15,
7 2022.

8 5. Assistant United States Attorney Cynthia Frey has been
9 advised of this proposed move and has expressed no objection
10 Eastern District of Michigan Pretrial Services Officer Tacarra
11 Lanzon has been advised of this proposed move by the defendant
12 and has no objection to his proposed move.

13 I, therefore, request that this Court order that Mr.
14 NASHATKA be allowed to move to Oakland, California and that his
15 pretrial supervision be transferred to the Northern District of
16 California forthwith.

17 Mr. NASHATKA will continue to be in contact with Pretrial
18 Services and counsel and will report to Pretrial Services in the
19 Northern District of California as directed.

20 I declare under penalty of perjury that the foregoing is
21 true and correct except for those matters stated on information
22 and belief and as to those matters I am informed and believe them
23 to be true. Executed this 24th day of May, 2022, at San
24 Francisco, California.

25
26
27 /s/ EAN VIZZI
28 EAN VIZZI
 Attorney for Defendant
 ANTHONY NASHATKA